

# United States Department of Agriculture

National Offices, Services Centers, and Field Offices



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Farm  
Service  
Agency

Foreign  
Agricultural  
Service

Natural Resources  
Conservation  
Service

Risk  
Management  
Agency

Rural  
Development

Support  
Services  
Bureau

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MERIT PROMOTION PLAN

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ATTACHMENTS:

Employee, Supervisor and Human Resources Responsibility

## 1. BACKGROUND

This establishes the procedures for merit promotion and placement actions for positions in the National Offices, Service Centers, and other Field Offices of the Rural Business-Cooperative Service, Rural Housing Service, and Rural Utilities Service, Natural Resources Conservation Service, (NRCS), Risk Management Agency, (RMA), Foreign Agricultural Service, (FAS), Farm Service Agency, (FSA), and the Support Services Bureau, (SSB). This document is in accordance with 5 CFR 335 and provides supplemental information to comply with these requirements.

## 2. POLICY

- A. In order to promote fair and equitable treatment for all employees, this plan defines how consideration will be given to all interested applicants.
- B. This Supplement does not guarantee promotion; nor does it require a vacancy be filled by promotion.
- C. Actions under this Merit Promotion Plan--whether in identification, qualification, evaluation, or selection of candidates, or any other phase of the promotion process--shall be made without discrimination for any nonmerit reason.
- D. This plan covers promotions in the competitive service through GS-15 and similar pay schedules, and to or from any prevailing rate schedule position.
- E. Any exception to this merit promotion policy must be approved by the head of the national Human Resources Office.

## 3. OBJECTIVES

- A. The objectives of this plan are to:

narrow the number of candidates to a reasonable number and assure that selections are made from among the best qualified applicants;

give employees an opportunity to receive fair, equitable, and appropriate consideration for higher level jobs;

provide an incentive for employees to improve their performance and develop their know ledges, skills, and abilities, (KSAs);

provide career opportunities for employees;

bring the best qualified candidates to the attention of the selecting official; and,  
enhance and support diversity in the workforce.

#### 4. COVERAGE

The following types of personnel actions are covered:

- A. Competitive promotion.
- B. Reassignment or demotion to a position with more promotion potential than the highest actual grade held by an employee on a permanent basis under a career or career-conditional appointment.
- C. Transfers to a higher-graded position or a position with higher promotion potential than the highest actual grade previously held by an employee on a permanent basis under a career or career-conditional appointment.
- D. Reinstatement to a higher-graded position or a position with higher promotion potential than the highest actual grade held by an employee on a permanent basis under a career or career-conditional appointment.
- E. Selections for details for more than 120 days to a higher-graded position or to a position with known promotion potential.
- F. Selection for training that is any one of the following:
  - Part of an authorized training agreement.
  - Part of a promotion program, although the promotion may not immediately follow the training.
  - Required before an employee is qualified for reassignment to a different occupational series.
  - Part of a Career Enhancement Program.
  - Designed primarily to prepare employees for advancement or to fulfill specific qualification requirements for a position with known promotion potential.
- G. Time limited promotion for more than 120 days to a higher-graded position or a position with higher promotion potential, unless the selectee has held the grade previously on a permanent basis.

## 5. EXCEPTIONS

The following types of personnel actions are not covered:

- A. Competitive selection from an Office of Personnel Management (OPM) certificate or a certificate issued by an Agency with delegated examining authority.
- B. Promotions resulting from an employee's position being reclassified at a higher grade because of accretion of duties and responsibilities.
- C. Promotions resulting from upgrading a position, without significant changes in the duties or responsibilities, because of either the issuance of a new classification standard or the correction of an initial classification error.
- D. Career-ladder promotions when an employee was previously selected for an assignment intended to prepare him/her for the position being filled. Sources of selection may be:
  - an Office of Personnel Management certificate
  - a list of employees issued under delegated examining authority
  - selection under competitive promotion procedures
  - Special Placement Programs or
  - any other direct hire authority.
- E. Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having promotion potential no greater than the potential of a position an employee currently holds or previously held on a permanent basis in the competitive service, provided the employee was not demoted or separated from that grade because of deficiencies in performance or "for cause" reasons.
- F. Details, not longer than 120 days, to a higher-graded position or to a position with no known promotion potential.
- G. Details at the same or lower grade.
- H. Actions taken as a remedy for failure to receive proper consideration in a competitive promotion action.
- I. Promoting an employee upon exercise of reemployment rights if the employee's former position was reclassified during his/her absence.
- J. Selection of a candidate from the Reemployment Priority List (RPL) for a

position up to the highest grade previously held in the competitive service.

- K. Position changes permitted by Reduction-in-Force (RIF) regulations.
- L. Repromotion to a grade or position from which an employee was demoted as a result of RIF.
- M. Selection by reassignment to a position with the same or less promotion potential than a position previously held under a career or career-conditional appointment.
- N. A temporary promotion for 120 days or less to a higher-graded position or to a position with known promotion potential.
- O. Permanent promotion to a position held under temporary promotion when:
  - (1) the assignment was originally made under competitive procedures; and
  - (2) it was made known under competitive procedures to all competitors at the time that it might lead to a permanent promotion.
- P. Voluntary change to a lower grade with the same or less promotion potential than previously held under a career or career-conditional appointment.
- Q. A position change from a position having known promotion potential to a position at the same grade having no higher potential.
- R. Selection of an eligible CTAP or ICTAP candidate.

## 6. METHODS FOR FILLING VACANCIES

Vacancies may be filled by any appropriate method including special placement programs, new appointment, reassignment, transfer, reinstatement or promotion, etc.

## 7. PRIORITY PLACEMENT PROGRAMS

- A. When a position is announced with an area of consideration limited to all or some portion of the USDA workforce, the order of consideration for priority and other candidates is as follows:
  - 1. Agency CTAP eligibles
  - 2. USDA CTAP eligibles
  - 3. Agency/USDA repromotion eligibles
  - 4. Agency priority consideration eligibles

5. All other applicants within the area of consideration, and
6. RPL registrants at the option of the selecting official.

B. When a position is announced with an area of consideration which exceeds the current USDA workforce (e.g., Government-wide or all sources), the order of consideration for priority and other candidates is as follows:

1. Agency CTAP eligibles
2. USDA CTAP eligibles
3. USDA RPL registrants
4. USDA ICTAP applicants
5. Agency/USDA repromotion eligibles
6. Agency priority consideration eligibles
7. ICTAP eligibles (other than those displaced from USDA) and
8. All other applicants.

C. USDA REPROMOTION PLACEMENT PLAN

Employees downgraded through no fault of their own are entitled to priority consideration for a period of 2 years from the effective date of the employee's downgrade.

D. PRIORITY CONSIDERATION

Employees are entitled to priority consideration whenever reconstruction of a promotion action shows that, except for some error, (i.e. wrong qualification determination, failure to consider, improper rating, failure to follow competitive procedures, etc. ), the employee would have appeared on a promotion certificate. The employee shall be entitled to one bonafide consideration for the type (same series, grade, up to the same promotion potential, and geographic area) of position previously applied for under competitive procedures. A priority consideration certificate will be forwarded to the selecting official prior to issuing a competitive certificate. If no priority consideration candidate is selected, the selecting official must provide job-related justification for the non-selection.

8. INITIATING THE VACANCY

A. The supervisor of the vacancy will submit an SF-52, Request for Personnel Action, through appropriate channels. With the SF-52, the supervisor will

attach a Position Description Cover Sheet and a current position description that accurately describes the position to be filled.

- B. No action will be taken to staff the vacant position until the position is classified.
- C. The selecting official will determine, in consultation with the Personnel Specialist, the best way to fill the vacancy (OPM register, transfer, reinstatement, merit promotion procedures, Special Placement Programs, etc.).

## 9. PROCEDURES WHEN VACANCY IS ANNOUNCED

The following procedure will be followed for all merit promotion vacancies:

- A. Identification of Selection Criteria.
  - 1. Prior to posting the vacancy announcement, the Personnel Specialist determines:
    - a. That KSAs are established for the position. The Personnel Specialist will discuss and review with the selecting official the existing KSAs to determine if they are still appropriate; or
    - b. That KSAs are not established for the position. The Personnel Specialist will contact the selecting official to establish the KSA's.

### B. Minimum Area of Consideration

The following is designated as the minimum area of consideration:

- 1. Any single Agency, Service, or Bureau, National/Headquarters Offices - commuting area
- 2. Any single Agency, Service, or Bureau, State/Field Offices - commuting area

A wider area of consideration may be initially established to obtain more qualified candidates if it is anticipated that sufficient candidates will not be available.

### C. Preparation and posting vacancy announcements.

- 1. Vacancy announcements will normally be posted for a minimum of 10 workdays. Announcements with the area of consideration limited to CTAP/ICTAP candidates may be open for 5 calendar days.

2. Nationwide/Government wide will be posted for a minimum of 21 calendar days.
3. Close of business in Field Offices will be determined by the appropriate official in each office.
4. Vacancies will be posted on the automated bulletin board systems prescribed by OPM. Offices will ensure announcements are posted to provide for adequate publicity to employees.

## 10. SUBMITTING APPLICATIONS

A. To be considered for posted vacancies, the following procedures must be followed:

1. Applicants must submit:

SF-171, Application for Federal Employment; or  
OF-612, Optional Application for Federal Employment; or  
resume; and  
Supplemental statement that addresses each of the KSAs separately or other information included in the announcement; and  
Current performance appraisal/rating, or a statement advising the performance appraisal/rating is unavailable. (This applies only to current Federal Employees).  
Any other information as specified in the vacancy announcement.

2. Non-competitive referral candidates are not required to submit KSA supplemental statements although they are encouraged to do so.

### **NOTE**

Failure on the part of the applicant to submit the requested material will result in not being considered for the advertised position.

KSA supplemental statements may not be more than 2 single-spaced pages per KSA unless otherwise stated on the vacancy announcement.

Additional materials, such as copies of position descriptions, publications, award certificates, will not be considered in the ranking process.

B. Applications must be received at the specified location by the close of business on the closing date of the vacancy announcement unless otherwise stated on the vacancy announcement. Exceptions to this requirement may be made by the servicing Human Resources Office for reasons such as

extended power outages, severe weather, etc.

- C. Applications submitted by facsimile or other electronic means as specified in the announcement will be accepted.
  - D. Employees who are on extended leave are responsible for notifying their supervisor if they want to be considered for promotional opportunities while they are on travel or leave. Employees shall leave a telephone number, e-mail address and/or facsimile number with their supervisor. The supervisor is responsible for contacting the employee to provide vacancy information.
  - E. Voluntary applications within the Agency will not be accepted unless so stated on the vacancy announcement. The vacancy announcement will outline the method of considering candidates when applications are accepted.
  - F. Applications will normally be accepted from candidates under special hiring authorities, i.e., VRA, 30% Disabled Veteran, Persons with Disabilities, etc. Qualified candidates will be placed on the Promotion Certificate as non-competitive referrals. The vacancy announcement will indicate if candidates under special hiring authorities will not be considered.
  - G. Section 765 of P.L. 105-277 states that permanent employees of FSA County Committees employed on or after October 1, 1998, shall be considered as having Federal Civil Service status for the purpose of applying for USDA Civil Service vacancies. Applications will be accepted from permanent FSA county committee employees who were employed on or after October 1, 1998, when the area of consideration includes FSA employees. FSA County Committee employees do not receive any priority consideration for Civil Service vacancies.
11. EVALUATION TO DETERMINE ELIGIBILITY, BASIC QUALIFICATIONS, AND NOTIFICATION TO CANDIDATES
- A. Qualifications of the applicants will be determined from the application package submitted and the applicant notified of the results.
  - B. Minimum qualification standards used for placements are standards approved by the Office of Personnel Management and may be found in OPM Handbook, Qualification Standards for General Schedule Positions and the X-118C, Internal Qualifications Guide for Trade and Labor Jobs. The Personnel Specialist will assure that all of the following requirements are met:
    - 1. Time-in-grade restrictions.
    - 2. Qualification Standards for General Schedule Positions or the X-118C standards.

3. 90-day after competitive appointment restriction.
  4. Any other requirements such as selective placement factors (e.g., ability to communicate in a foreign language).
  5. Summary performance rating of fully successful or results achieved.
- C. Applicants must meet all of the above requirements by the closing date of the announcement.
- D. Submission of additional information after the closing date will not be accepted.

## 12. RATING AND RANKING PROCEDURES

Either a Merit Promotion Panel or a Personnel Specialist/Subject Matter Expert may be used to rate and rank candidates.

A panel may be used for any vacancy regardless of the number of competitive candidates.

A Personnel Specialist/Subject Matter Expert may be used if there are 10 or less competitive candidates for any particular advertised grade level.

The same method will be used for any position(s) advertised at multiple grade levels.

### A. Merit Promotion Panel Method

#### 1. Merit Promotion Panel Composition

- a. The Personnel Specialist will assemble a Merit Promotion panel consisting of at least two members who occupy positions at a grade level not lower than the full performance level of the position being filled. The selecting official may recommend members to serve on the panel subject to the approval of the Personnel Specialist.
- b. The Personnel Specialist will serve as a facilitator with responsibility for assuring the requirements of merit promotion procedures are followed and to assist in expediting the process.
- c. Neither the supervisor, the selecting official, nor the approving official of the vacancy may be a member of the panel. They may, however, be asked to appear before the panel to answer any questions regarding the vacancy or the crediting plan.
- d. Merit Promotion Panels should include minority group members

and/or women.

- e. Members of the panel will protect the confidentiality of all information received or reviewed during the committee process.
- f. There may be an EEO observer present during this process.

2. Merit Promotion Panel Delegated Responsibility

The Merit Promotion Panel has the final responsibility for determining best qualified candidates based on valid, job-related criteria and employee's application package. They are accountable for defending their final decision to any regulatory or investigative agency.

3. Merit Promotion Panel's Rating of the Candidates

- A. The Merit Promotion Panel will use the following rating instruments to determine a candidate's possession of each identified KSA and the level of proficiency attained.

Rating Instrument - application, KSAs, performance appraisal, related awards, training and self development.

NOTE: These factors may be considered in the evaluation process only to the extent that they are clearly related to one or more of the skills and knowledges important to successful performance in the job to be filled.

- B. A rating scale will be developed for each KSA against which an applicant's possession of that KSA will be measured. The point range is 5 - 0.

Superior	- (5 points will be assigned)
Satisfactory	- (3 points will be assigned)
Minimally acceptable	- (1 point will be assigned)
No evidence	- (0 point will be assigned)

B. Personnel Specialist/Subject Matter Expert Ranking Method

- 1. If there are 10 or fewer qualified competitive applicants at each particular grade level for a vacancy, a Personnel Specialist may be used to determine the best qualified.
- 2. The Personnel Specialist or a subject matter expert will apply the same rating criteria used by a merit promotion panel as described above in

paragraph 12 (3).

### C. Determining the Best Qualified

1. Each basically qualified competitive candidate is evaluated against criteria developed from the job analysis process which was developed prior to rating. Each candidate is given a score based on their experience, education, related awards, training, and self development. These scores are then combined and recorded on the master score sheet.
2. Up to 10 candidates may be certified for each grade level if meaningful distinctions cannot be made among a smaller number.
3. Where distinctions simply cannot be made, if a tie occurs for the 10th position, all names with that score will be referred.
4. If more than 1 position is to be filled, three additional names may be certified for each additional vacancy.
5. If insufficient candidates, (three or less) are best qualified, the selecting official may make a selection or request that the area of consideration be extended.
6. There is no provision allowing the selecting official to request and make a selection from candidates who have not been rated best qualified.

### 13. Alternative Evaluation Method

1. This is an alternate approach for determining well qualified candidates when 10 or fewer applications are received from basically qualified candidates who must compete.
2. The Personnel Specialist reviews application materials to determine that an applicant meets basic qualifications and any selective factors identified for the position. A further review is conducted to distinguish well qualified candidates from those who only meet minimum requirements.
3. If a Personnel Specialist is not familiar with the requirements of the position to determine whether experience, education, or training relates to the evaluation criteria, then a subject matter expert may perform the evaluation or his/her technical advice may be obtained.
4. Applicants who meet all these requirements are referred to the selecting official as well qualified candidates for consideration by the selecting official.

5. Any basically qualified candidates for lateral reassignment and those eligible for consideration under special hiring authorities or for reinstatement will be referred to the selecting official without being evaluated by any of these methods.

#### 14. SELECTION PROCESS

- A. The names of the best qualified candidates will be listed on the Promotion Certificate by grade level in alphabetical order.
- B. The selecting official may be provided with all Best Qualified candidates' KSA supplemental statements, applications and any other related material.
- C. The selecting official has the option to either interview or not to interview the best qualified candidates on a promotion certificate. If one best qualified candidate is interviewed, then all best qualified candidates must be interviewed. Non-competitive referrals need not be interviewed, nor must the selecting official interview all non-competitive referrals if they interview one.
- D. The selecting official is entitled to make a selection from any of the candidates listed on a promotion certificate based on his/her judgment of how well the candidate will perform in the particular job being filled.
- E. The selecting official will make his/her selection, forward it through appropriate approving officials. Each candidate will be notified of the selection.
- F. The promotion certificate should be returned within 30 days. If the selecting official is unable to make the selection, extensions may be granted up to 90 days from the date the certificate was originally issued. In the event a like (same Agency, official title, series, grade, and geographic location) vacancy occurs within the original area of consideration during the 90 day period, the same certificate may be used to fill the subsequent vacancy(s) without re-advertising.
- G. The selecting official is not required to make a selection from the promotion certificate but may select from any other appropriate source.
- H. A selected candidate will normally be released to enter on duty in the new position no later than 1 full pay period after selection. Extensions beyond the normal 1 pay period will be negotiated between the supervisors involved by the Personnel Specialist.

#### 15. PROMOTION RECORDS AND INFORMATION

- A. The Human Resources office will establish and maintain an official promotion case file for 2 years.

B. The following information will be provided to any employee upon request:

1. Explanations and supporting regulations concerning the Merit Promotion Plan.
2. The qualifications required for a position.
3. If the employee was considered and basically qualified.
4. Whether the employee was among the best qualified and how the employee was evaluated by the Merit Promotion Panel or Personnel Specialist.
5. Cut-off score for best qualified.
6. Scores of other candidates (not identified by name).
7. Number of qualified candidates.
8. Number of candidates certified as Best Qualified.
9. Who was selected.

C. Employee Complaints: An employee has the right to file a grievance or complaint if he or she feels:

1. There has been an improper application of governing rules and regulations.
2. The Merit Promotion Plan procedures were not followed.

Individual judgments used in merit promotion process or non-selection from a group of properly ranked or certified candidates are not subject to the formal administrative grievance process.

D. All employees are encouraged to discuss plans and opportunities for advancement with their supervisor and request information and/or assistance from the servicing office on specifics of the Merit Promotion Plan, qualification standards, etc.

## 16. PROGRAM REVIEW

This plan will be reviewed and reported on periodically in conjunction with managers, supervisors and employees to ensure that:

A. The plan is effective and useful to employees and management;

- B. Promotion actions and employee complaints are handled promptly and properly;
- C. Promotions are used to encourage competent employees to investigate new careers and to make the best use of their knowledge and skills; and
- D. Employees, supervisors and managers have a full understanding of the merit promotion process.

## ATTACHMENT 1

### EMPLOYEE, SUPERVISOR AND PERSONNEL RESPONSIBILITIES

#### Employee Responsibility:

1. Review announcements under the Merit Promotion Program.
2. Review announcements and, if they feel they meet specific experience and training requirements for the position, properly complete and forward all required application material by the closing date for each position for which they wish to be considered, keeping in mind that the Promotion Certificate can be used for another like (same Agency, official title, series, grade, and geographic location) vacancy that occurs within 90 calendar days.
3. Keep supervisors informed of career interests. Before departure on temporary duty, scheduled leave, and other absences, provide supervisor with a telephone number, e-mail address and/or facsimile number at which they may be contacted.
4. Take advantage of self-development and training opportunities, both on and off the job.
5. Demonstrate competence and readiness for advancement by diligent and effective performance in current assignment.
6. When requested, participate in applying OPM regulations to establish reasonable job-related evaluation criteria (KSAs), and participate on promotion panels for determining best qualified candidates.
7. Assure that official personnel records reflect all experience, education and training.
8. Keep informed of the provisions of this Plan.

#### Supervisor Responsibility:

1. Maintain a current copy of this plan, make it available to their employees, and exert every effort to ensure that employees fully understand the plan.
2. Inform new employees where position vacancy announcements are posted.
3. Periodically inform employees, either orally or in writing, that questions about the Plan or specific promotion actions should be referred to the servicing Personnel office for informal handling; that formal means for resolving promotion complaints are available through Agency Grievance Procedures.
4. Anticipate personnel vacancies and initiate action in a timely manner so that sufficient qualified applicants can be found to facilitate the best selection.

5. Participate in applying OPM regulations to establish reasonable job-related evaluation criteria (KSAs).
6. Participate in or make employees available for rating panels.
7. Give fair, equitable, and full consideration to all candidates referred and make a final selection from the list without discrimination for any nonmerit reason and without favoritism based on personal relationship or patronage.
8. Under the provisions of this plan, release a selected employee for assignment to his or her new job.
9. On a fair and equitable basis, guide and assist employees in developing skills and abilities through cross-training, special assignments, and formal education, as needed. Encourage and advise employees regarding self-development needs and opportunities, and on areas where improvement should be made to increase chances for future promotion.

#### Human Resources Responsibility:

1. Develop and administer the Merit Promotion Plan.
2. Ensure the quality and effectiveness of the merit promotion program and management/employee understanding and acceptance.
3. Through job-analysis, develop and administer selective placement factors for basic eligibility and identification of job-related criteria.
4. Determine and/or develop appropriate evaluation methods and instruments to be included in crediting plans.
5. Provide technical advice and assistance to panel members responsible for rating candidates.
6. Publicize the program to keep management and employees well informed.
7. Furnish advice and assistance to employees interested in advancing or transferring to new career fields.
8. Evaluate program effectiveness to include initiation of improvements or necessary changes.
9. Maintain records in accordance with OPM and USDA requirements.
10. Give new employees general information on the program as a part of employee orientation.
11. Advise of methods and procedures for filling all vacancies.

12. Advise candidates who apply for promotion whether they meet basic eligibility requirements and inform them of action taken on their applications.
13. Ensure that position vacancy announcements are published.

